

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1946.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF BUTTER.

On April 4, 1912, the United States Attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against A. Matlick, Bishop, California, alleging shipment by him in violation of the Food and Drugs Act, on August 25, 1911, from the State of California into the State of Nevada of a quantity of butter which was misbranded. The product was labeled: "Gilt-Edge Creamery. A. Matlick, Prop., Bishop, California, 2 lbs. weight."

Examination of samples of the product by the Bureau of Chemistry of this Department showed the following results: Sample No. 1, 853 grams; No. 2, 848 grams; No. 3, 845 grams; No. 4, 852 grams; No. 5, 848 grams; No. 6, 845 grams. Average net weight, 848.5 grams, equivalent to 1 pound, 14 ounces, 6.25 per cent short weight. Misbranding was alleged in the information for the reason that the product was put up in package form and each package was labeled as set forth above, whereas, in truth and in fact, said packages were of an average weight of only 1 pound and 14 ounces each.

On April 23, 1912, the defendant entered a plea of guilty to the information and the court imposed a fine of \$25.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *November 14, 1912.*

